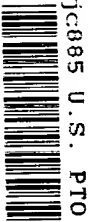


08/02/00



JC885 U.S. PTO

08-04-00

A

PATENT

A-59709-3/JAS

EXPRESS MAIL LABEL: EL 484659039 US
DEPOSITED: August 2, 2000
CERTIFICATE UNDER 37 CFR 1.10

Handwritten signature and date: 102500

JC857 U.S. PTO
09/631438



I hereby certify that this paper (along with any referred to as being attached or enclosed) is being deposited with the United States Postal Service on the above referenced date in an envelope as "Express Mail" addressed to the Box Patent Application, Assistant Commissioner for Patents, Washington, DC 20231.

Signed: *Handwritten signature of Kari Bateman*
Kari Bateman

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:
MACLEOD et al.

Serial No.: **To be Assigned**

Filing Date: **To be Assigned**

For: **METHOD TO REDUCE TORQUE
RELATED AUDIBLE NOISE FOR
SPINDLE MOTORS**

Art Unit No.: **To be Assigned**

Examiner: **To be Assigned**

NEW APPLICATION TRANSMITTAL
(37 C.F.R. § 1.53(b))

BOX PATENT APPLICATION
Assistant Commissioner for Patents
Washington, DC 20231

Sir:

1. **This new application is for an**

- ☒ Original (non-provisional)
- ☐ Design
- ☐ Plant

- ☒ divisional
- ☐ continuation
- ☐ continuation-in-part (C-I-P)

application under 37 C.F.R. 1.53(b), in the name of Donald J. MacLeod, Santa Cruz, California; Greg Zariphopoulos, Redwood City, California; Robert M. Pelstring, Santa Cruz, California; Alain Cassat, Pully, Switzerland and Gunter Karl Heine, Aptos, California for "METHOD TO REDUCE TORQUE RELATED AUDIBLE NOISE FOR SPINDLE MOTORS". This divisional application claims priority to pending U.S. Application

05631438 080200

Serial No. 09/198,047 filed November 23, 1998.

2. **Benefit of Prior U.S. Application(s)** (35 U.S.C. 119(e), 120, or 121)

☒ Enclosed is a copy of the prior application as originally filed.

☒ Priority of application Serial No. 09/198,047 filed November 23, 1998 is claimed under 35 U.S.C. 120.

☐ the certified copy has been filed in prior application, Serial No. 0 / _____, filed on _____.

3. **Papers enclosed:**

Required for filing date under 37 C.F.R. § 1.53(b) (Regular) or 37 C.F.R. § 1.53 (Design) Application.

☐ Enclosed is a new application.

☐ Enclosed is a continuation-in-part application.

☒ Enclosed is a copy of the prior application as originally filed.

7 Pages of specification

2 Pages of claims

8 Sheets of drawings

☐ formal

☒ informal

 Page of abstract (blank)

4. **Additional papers enclosed**

☒ Amendment to Claims.

☒ Cancel in this application original claims 1-5 before calculating the filing fee. (At least one original independent claim must be retained for filing purposes).

☐ Add the claims shown on the attached amendment. (Claims added have been numbered consecutively following the highest numbered original claims).

☒ Amendment to Specification.

002080-8547960

☒ Amend the specification by inserting before the first line the sentence:

A - This divisional application claims priority to pending U.S. Application Serial No. 09/198,047 filed November 23, 1998. -

☐ Preliminary Amendment

☐ Copy of previously submitted Information Disclosure Statement (37 C.F.R. 1.98) with Form PTO-1449

☐ Fee regarding Information Disclosure Statement:

☐ Fee Under 37 CFR 1.17(p) \$240.00

☐ Petition Fee Under 37 CFR 1.17(i) \$130.00

Total Information Disclosure Statement Fee: \$ 0.00

☐ Authorization of Attorney(s) to Accept and Follow Instructions from Representative.

☐ Special Comments:

☐ Other:

5. Declaration or oath (including power of attorney)

☒ Enclosed is a copy of the originally filed Declaration Executed by the

☒ inventor(s)

☐ legal representative of inventor(s)

☐ Joint inventor or person showing a proprietary interest on behalf of inventor who refused to sign or cannot be reached.

☐ This is the petition required by 37 C.F.R. 1.47 and the statement required by 37 C.F.R. 1.47 is also attached.

☐ Not enclosed.

☐ Application is made by a person authorized under 37 C.F.R. 1.41(c) on behalf of *all* the above named inventor(s).

☒ The Power of Attorney in the prior application is to:

Name: Flehr Hohbach Test Albritton & Herbert, L.L.P.
Address: Four Embarcadero Center, Suite 3400
San Francisco, California 94111-4815

☒ The power appears in the original papers in the prior application.

☐ Since the power does not appear in the original papers, a copy of the power in the prior application is enclosed.

6. **Inventorship Statement**

The Inventorship for all the claims in this application are:

☒ the same inventors named in the prior application.

☐ inventors fewer than all the inventors named in the prior application.

☐ please delete the following name(s) as inventor(s):

☐ Not the same. An explanation, including the ownership of the various claims at the time the last claimed invention was made,

☐ is submitted.

☐ will be submitted.

7. **Language**

☒ English

☐ Non English

☐ The attached translation includes a statement that the translation is accurate. 37 C.F.R. 1.52(d).

002030" SE+TE960

8. **Assignment**

☐ A copy of the assignment of the invention to: SEAGATE TECHNOLOGY, INC.

☐ is attached. A separate ☒ "COVER SHEET FOR ASSIGNMENT (DOCUMENT) ACCOMPANYING NEW PATENT APPLICATION" OR ☐ FORM PTO 1595 is also attached.

☐ will follow.

☒ The prior application is assigned of record to SEAGATE TECHNOLOGY, INC.

☒ A copy of the original recorded Assignment is enclosed.

☐ A copy of the Change of Name in recorded Assignment is enclosed.

9. **Extension of time**

☐ The term for response or taking action in the prior application expires on _____.

☐ An extension of time in the prior application is:

☐ filed concurrently in the prior application.

☐ has been filed on _____.

☒ Applicant hereby petitions for an extension of time in prior application serial no. 09/198,047 and encloses the fee of: \$380.00

<u>Small Entity</u>			<u>Large Entity</u>		
<input type="checkbox"/>	One month	\$ 55.00	<input type="checkbox"/>	One month	\$110.00
<input type="checkbox"/>	Two months	\$190.00	<input checked="" type="checkbox"/>	Two months	\$380.00
<input type="checkbox"/>	Three months	\$435.00	<input type="checkbox"/>	Three months	\$870.00
<input type="checkbox"/>	Four months	\$680.00	<input type="checkbox"/>	Four months	\$1,360.00
<input type="checkbox"/>	Five months	\$925.00	<input type="checkbox"/>	Five months	\$1,850.00

Extension of Time Fee: \$ 380.00

10. The filing fee has been calculated as shown below:

For:	(Col. 1) <u>No. Filed</u>	(Col. 2) <u>No. Extra</u>	<u>Rate</u>	Small Entity <u>Fee</u>	<u>Rate</u>	Large Entity <u>Fee</u>
Basic Fee:				\$		\$690.00
Total Claims:	3 - 20	= 0	x \$9 =	\$-0-	x \$18	\$.00
Indep. Claims	2 - 3	= 0	x \$39 =	\$-0-	x \$78	\$.00
<input type="checkbox"/> Multiple Dependent Claims Presented			+ \$130 =	\$-0-	+\$ 260 =	\$-0-
<input type="checkbox"/> An amendment canceling extra claims is enclosed.						
<input type="checkbox"/> An amendment deleting multiple-dependencies is enclosed.						
<input type="checkbox"/> The fee for extra claims is not being paid at this time.						
Total Filing Fee:						\$690.00

11. Small Entity Statement(s)

- ☐ Statement(s) that this is a filing by a small entity under 37 C.F.R. §§ 1.9 and 1.27 is(are) attached.
- ☐ Status as a small entity was claimed in prior application, serial no. _____, filed on _____, from which benefit is being claimed for this application under 35 U.S.C. § ☐ 119(e); ☐ 120; ☐ 121, or ☐ 365(c) and which status as a small entity is still proper and desired.
- ☐ A copy of the statement in the prior application is included.

Total Other Fees: \$.00

TOTAL FEES: \$ 690.00

- ☒ A check including the amount of the above indicated TOTAL FEES is attached.
- ☐ Please charge Deposit Account No. 03-1600(A-59709-3/JAS) in the amount of \$
- ☒ A check in the amount of \$1,070.00 is attached.
- ☐ No fee is required.

[X] Conditional Petition for Extension of Time:

An extension of time is requested to provide for timely filing if an extension of time is still required after all papers filed with this transmittal have been considered.

[X] The Commissioner is hereby authorized to charge any underpayment of the following fees associated with this communication, including any necessary fees for extension of time, or credit any overpayment to Deposit Account No. 06-1300(A-59709-3-JAS).

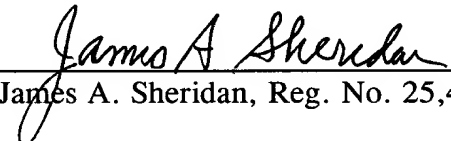
[X] Any filing fees under 37 CFR 1.16 including fees for the presentation of extra claims.

[X] Any patent application processing fees under 37 CFR 1.17.

[X] I hereby verify that the attached papers are a true duplicate of prior application Serial No. 09/198,047 filed November 23, 1998.

[X] Address all future communication to:
James A. Sheridan of Flehr Hohbach Test Albritton & Herbert LLP

Respectfully submitted,



James A. Sheridan, Reg. No. 25,435

Flehr Hohbach Test Albritton & Herbert LLP
Four Embarcadero Center, Suite 3400
San Francisco, CA 94111-4187
Telephone: (650) 494-8700
Facsimile: (650) 494-8771

PATENT APPLICATION SERIAL NO. _____

U.S. DEPARTMENT OF COMMERCE
PATENT AND TRADEMARK OFFICE
FEE RECORD SHEET

02/11/2000 LWAHNG 00000001 09631433

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690.00 OP

PTO-1556
(5/87)